

VZCZCXYZ0023
PP RUEHWEB

DE RUEHMO #0913/01 0941301
ZNY CCCCC ZZH
P 031301Z APR 08
FM AMEMBASSY MOSCOW
TO RUEHC/SECSTATE WASHDC PRIORITY 7461
INFO RUCNCIS/CIS COLLECTIVE
RUEHXD/MOSCOW POLITICAL COLLECTIVE

C O N F I D E N T I A L MOSCOW 000913

SIPDIS

SIPDIS

E.O. 12958: DECL: 04/03/2018
TAGS: [PHUM](#) [KDEM](#) [PGOV](#) [SOCI](#) [RS](#)
SUBJECT: MOSCOW HUMAN RIGHTS ACTIVISTS ON MEDVEDEV, CURRENT
HUMAN RIGHTS CLIMATE

Classified By: Ambassador William J. Burns. Reason: 1.4 (b).

¶1. (C) Summary: Seven prominent Moscow-based human rights activists offered Ambassador April 1 their expectations for a Medvedev presidency, and their perspectives on the current human rights climate in Russia. The group was skeptical that much would change after Medvedev's May 7 inauguration, and not convinced that Medvedev's references to freedom, the need for rule of law, and his intention to join battle against corruption meant that change was on the horizon. Still, they said, they would watch the early months of his presidency for signs that he intended to address longstanding problems that he had identified in his speeches and interviews, like the judiciary. The seven also described at length to the Ambassador problems that they and their colleagues have encountered in doing their work. End summary.

Future with Medvedev

¶2. (C) Seven prominent Moscow-based human rights activists April 1 offered the Ambassador their expectations for human rights under President Medvedev. The group was cautiously pessimistic about prospects for change and, in preparing to evaluate Medvedev's performance, said they would focus on what concrete steps he takes, not on the words he has used to describe his intentions in the run-up to his inauguration.

¶3. (C) Transparency International's Yelena Panfilova praised Medvedev's emphasis on the need for an end to "legal nihilism" and to establish rule of law, but worried that rule of law, even allowing for Medvedev's good intentions, might be interpreted by those around him as more of the same: a "rule of the prevailing criminal code of behavior." She urged that the USG begin its conversation with the new President by reminding him of commitments already made by Putin, such as undertakings to combat corruption made in 1998 in St. Petersburg. While pleased that Medvedev had spoken frequently about the need to tackle corruption and that the President-elect had promised, soon, to unveil the GOR's long-stalled national corruption plan, Panfilova thought it unlikely that a full-scale attack on corruption would be the result.

NGO Work

¶4. (C) Karina Moskalenko, who spends much of her time representing Russian plaintiffs, among them imprisoned oligarch Mikhail Khodorkovskiy, before the European Court of Human Rights (ECHR), described her disappointment in Putin's failure to reform the judiciary. Judges as a rule, she said, work "hand-in-glove" with executive authorities. Moskalenko described a few cases where, she said, judges had not succumbed to administrative pressure and had lost their jobs

as a result. One such case was that of the Moscow City Court Judge Olga Kudeshkina. (Note: Kudeshkina was removed from the Court in 2004 after she went public with charges that she had been pressured by the Chairman of the Moscow City Court and the General Prosecutor's Office in a case in which the defendant was a Ministry of Internal Affairs investigator. Her case is pending before the European Court of Human Rights.)

15. (C) In the meantime, said Moskalenko, the ECHR is flooded with cases from Russia, and their number will only increase as Russian citizens continue to fail to find justice in domestic courts. Moskalenko noted that Medvedev, a lawyer, had made judicial reform one of his priorities. The tools for measuring the scope of the problem with the judiciary already exist she said, as a number of organizations have monitored the activity of judges and described in detail the problems plaguing the judiciary. What was needed was a new willingness to cooperate with civil society in correcting the problems. Efforts under Putin had shown few results. Moskalenko described attempts to correct deficiencies in the prison system as an example. Criticism by civil society representatives had caused the Prison Administration, instead of reforming, to limit NGO access to the jails, and even to let GOR and other officials who had been cooperating know that further contact with the likes of Moskalenko was not desirable. As a result, Moskalenko said, even her access to forums and academic contacts in the university system had largely dried up. She hoped that a Medvedev administration would be more inclined to cooperate with reformers. She also complained that NED grants awarded to her center had prompted a two-year investigation that, while it had not resulted in legal action, had squandered precious time and resources.

16. (C) Golos's Liliya Shibanova echoed Moskalenko's complaint about dwindling access to the GOR contacts. Her organization

no longer had contacts with the Central Election Commission as a result, she suspected, of a "signal from above." The petty harassment, Shibanova said, even extended to family members. Her daughter who had worked for Golos had been told that her application for a bank credit would not be approved until she reported to the authorities how the Golos monies she was responsible for had been spent.

17. (C) The Human Rights Watch Tanya Lokshina thought that the Putin Administration's postponement of major reforms had created a "dire" situation, which might force the GOR to permit a more active civil society. She stressed the importance of NGOs, and urged that the USG continue to provide funding to Russian NGOs, when possible. Darya Miloslavskaya of the International Center for Non-Profit Law agreed with Lokshina, and thought that the time might be right under Medvedev for the USG to urge the GOR to amend the flawed NGO law, which allowed for "too much government interference." She thought it might be possible, in conversations with Russian officials, to compare the amended NGO law with the law on endowments. The latter "meets international standards," and could serve as an example of what the Presidential Administration and the Duma could produce if they chose to. Any effort by the Medvedev administration to re-visit the law would be welcome, she said.

Muslims as Second-Class Citizens

18. (C) All agreed that the increasingly close link between Russian Orthodoxy and the GOR, as well as continuing unrest in the North Caucasus and the Chechen wars and accompanying acts of terror had combined to cause Russian Muslims to "cease to feel that they are citizens" of Russia. Abuses by Federal and local troops, imprisonment of Moslems for allegedly engaging in "extremist" activity when they were only attempting to practice their faith and, in Chechnya, the near total control exercised by President Kadyrov were radicalizing Muslim youth. Lokshina describe widespread sympathy in Ingushetiya for the insurgents as a by-product of continued abuse of the local population by Federal and local

forces.
BURNS